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EXAMINER

NGUYEN, CAM LINH T

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/071,415

Applicant(s)

DIRISALA ET AL.

Examiner

CamLinh Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 11, 13 - 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 11, 13 - 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

AT

DETAILED ACTION

Response to Amendment

1. This Office Action is responded to RCE filed on 8/17/05. Applicant's amendments to claims 1 – 25 are acknowledged. Consequently, claim 12 has been cancelled. Claims 1 – 11, 13 – 25 are currently pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 – 5, 13 – 14, 23, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (U.S. 2002/0077944 A1) in view of Guerindon et al (U.S. 5,193,065).

♦ As per claims 1, 14,

Bly discloses a method of facilitating a distributed search for a procurement request comprising:

- “Receiving the procurement request from a user” See Fig. 3 and 10, paragraph 0063 and 0109. The Examiner notes that “procurement controls” specifies controls on price, “quantity”, brand, and source for an item to be purchased (as specified in the remark on page 9, last paragraph). Therefore, the “procurement request” corresponds to a request in the Bly reference (Fig. 10) that comprising price, band (make/model) to retrieve from the database.
- “Requesting a remote supplier to conduct a remote search to satisfy the procurement request” See paragraph 0045, wherein Bly teaches that multiple data server can be

combined. Examiner agrees that Bly is silent on teaching conducting a remote search.

However, Guerindon, on the other hand, discloses a method for requisitioning and distributing material in a manufacturing environment comprising the teaching of searching for material in local and remote storage system (See col. 7, lines 33 – 58, col. 8, lines 64 – col. 9, lines 4, of Guerindon).

Since both references are in the same field of invention (searching and retrieving, see the abstract of both references), it would have been obvious to one with ordinary skill in the art at the time the invention was made, to apply the teaching of Guerindon into the invention of Bly because the combination would provide the user more accurate results, and reduce the time in searching the databases.

- “Initiating a local search of a local information source” See Fig. 3 of Bly wherein the local information corresponds to the “market database”.
- “Receiving results of the remote search” See col. 7, lines 33 – 58, col. 8, lines 64 – col. 9, lines 4, of Guerindon.

“Filtering results of the remote search by applying organizational procurement controls to the results of the remote search, wherein the organizational procurement controls include at least one of, an upper limit on a price, an upper limit on a quantity, a prohibition against a given supplier, a limit to a given brand, a limit to a given model, a limit on a delivery option, and a limit on payment terms”, and “wherein the remote information source comprises an electronic marketplace” see page 10, paragraph 0109, and paragraph 0096 of Bly

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- “ Merging said remote search results with results of the local search; and presenting said merged search results to the user” See col. 7, lines 33 – 58, col. 8, lines 64 – col. 9, lines 4, of Guerindon.

◆ As per claim 2, Bly and Guerindon disclose:

- “ Filtering said remote search results with a set of local rules” See page 10 paragraph 0108 – 0109 of Bly. The “local rule” corresponds to the “predetermined condition” of the search query.

◆ As per claim 3, Bly and Guerindon disclose:

- “ Filtering comprises editing said remote search results according to a set of rules regarding information ... user” See page 10 paragraph 0108 – 0109 of Bly.

◆ As per claim 4, Bly and Guerindon disclose:

- “ Selecting said remote information source from multiple information sources” See page 6, paragraph 0063 of Bly.

◆ As per claim 5, Bly and Guerindon disclose:

- “ Said remote search is conducted without the user being connected to the remote information source” See col. 7, lines 33 – 58, col. 8, lines 64 – col. 9, lines 4, of Guerindon. The remote database is searched by the system and the results are returned to the user automatically. Therefore, the user is not connected to the remote source.

◆ As per claims 13, 25, Bly and Guerindon disclose:

- “ Remote search and local search are performed at least partially in parallel” See col. 7, lines 33 – 58, col. 8, lines 64 – col. 9, lines 4, of Guerindon.

◆ As per claim 23, Bly and Guerindon disclose:

Claim 23 is rejected based on the rejection of claims 1 – 2.

4. Claims 6 – 11, 15, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (U.S. 2002/0077944 A1) in view of Guerindon et al (U.S. 5,193,065) as applied to claims 1 – 5, 13 - 14, 23, 25 above further in view of Larry Harris (U.S. 2002/0059204).

♦ As per claim 6,

Guerindon /Bly fail to disclose, “ The remote information source employs a user interface different from a user interface employed by the local information source”. According to Fig. 1 of the disclosure, the remote source interface is different with the local interface by its format in the database.

However, Harris, on the other hand, discloses a distributed search system that comprises a plurality of data sources (See Fig. 2, Harris). The data source can be in different formats (page 2, paragraph 0029). Therefore, Harris discloses a remote source that has a different interface with the local interface.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Harris into the combination system of Guerindon /Bly because the combination would allow the user obtains more result from different data sources.

♦ As per claim 7, the combination of Guerindon /Bly/Harris disclose:

- “ Said presenting comprises displaying said merged search results with the user interface employed by the local information source” See page 5, paragraph 0050, Harris.

♦ As per claims 8 - 11, 16, 18 – 20, 24, the combination of Guerindon /Bly/Harris disclose:

- “ Said requesting comprises identifying to the remote information source a context in which to execute the remote search” See page 5, paragraph 0052 – 0053, Harris.

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- “ Said context comprises an identity of the user” and “ comprises an identity of an organization operating the local resource” See paragraph 0052 – 0053, 0062, Harris.
- “ Said context comprises a language” See paragraph 0047, Harris.

♦ As per claims 15, 22, the combination of Guerindon /Bly/Harris disclose:

with all limitation as in claim 1, further including:

- “ Said requesting comprises identifying to the remote information source a context in which to execute the remote search” See page 5, paragraph 0052 – 0053, Harris.
- “ Said context comprises an identity of the user” and “ comprises an identity of an organization operating the local resource” See paragraph 0052 – 0053, 0062, Harris.
- “ Said context comprises a language” See paragraph 0047, Harris.

♦ As per claim 17, the combination of Guerindon /Bly/Harris disclose:

- “ Selecting said remote information source from multiple information sources” See Fig. 3 of Bly.

♦ As per claim 21, the combination of Guerindon /Bly/Harris disclose:

- “ Remote search and local search are performed at least partially in parallel” See col. 7, lines 33 – 58, col. 8, lines 64 – col. 9, lines 4, of Guerindon

Response to Arguments

5. Applicant's arguments with respect to claims 1 – 11, 13 - 25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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- Spear et al (U.S. 6,809,292 B2) discloses a system and method providing automated welding information exchange and replacement part order generation.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CamLinh Nguyen whose telephone number is (571) 272-4024.

The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571 – 273 - 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN


FRANTZ COBY
PRIMARY EXAMINER